

REMARKS

By this paper, claim 22 has been amended. Claims 22-32 remain pending.

In the outstanding Office action dated September 19, 2005, claims 22-24 and 26-32 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. While the Applicants believe that there is sufficient written description in the present application to support the subject matter recited in claims 22-24 and 26-32, independent claim 22 has nevertheless been amended to traverse the § 112 rejection in order to advance prosecution of the present matter. Accordingly, it is believed that the pending claims clearly satisfy the written description requirement of § 112.


Additionally, in the outstanding Office action, claims 22-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rhodes (5,122,154), in view of Lazarus et al. (5,275,622). However, the Applicants maintain that combining the Rhodes and Lazarus et al. references under § 103 is improper because there is no suggestion or motivation, nor an objective reason for the combination. Again, it is respectfully submitted that it is improper to combine the cited references because Rhodes is concerned with avoiding the shortcomings of self-expanding structures and specifically teaches a stent formed from rigid links or struts. Thus, it is respectfully submitted that one of ordinary skill in the art would not modify Rhodes to incorporate a self-expanding frame since such structure is the very characteristic that Rhodes seeks to avoid. Therefore, Applicants believe that claims 22-32 are allowable over the cited art.

CONCLUSION

Applicants have attempted to completely respond to the rejections set forth in the outstanding Office action. In view of the above amendments and remarks, Applicants respectfully request that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

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